

**DFC CO 03**



DEPARTMENT OF THE NAVY

(b)(6), (b)(7)(c)

IN REPLY REFER TO:

1611

Ser 00J/340

16 Sep 19

FOURTH ENDORSEMENT or (b)(6), (b)(7)(c) ltr 1611 Ser 00J/285 of 13 Aug 19

From: (b)(6), (b)(7)(c)

To: Commander, Navy Personnel Command (PERS-83)

Subj: DETACHMENT FOR CAUSE ICO CAPT (b)(6), (b)(7)(c) MC, USN

1. Forwarded as a matter under your cognizance. I maintain my position that CAPT (b)(6), (b)(7)(c) be Detached for Cause.

2. My point of contact in this matter is CDF (b)(6), (b)(7)(c) AGC, USN. He can be reached at (b)(6), (b)(7)(c)

Copy to:

CAP (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

12 Sep 19

THIRD ENDORSEMENT on (b)(6), (b)(7)(c) ltr 1611 Ser 00J/285 of 13 Aug 19

From: CAPT (b)(6), (b)(7)(c), MC, USN

To: Commander, Navy Personnel Command (PERS-834)

Via: (b)(6), (b)(7)(c)

Subj: CAPTAIN (b)(6), (b)(7)(c), MC, USN, STATEMENT IN RESPONSE TO  
REQUEST FOR DETACHMENT FOR CAUSE

Ref: (a) MILPERSMAN 1611-020

- Encl:
- (1) Letter of (b)(6), (b)(7)(b), USMC dtd 23 Aug 19
  - (2) Letter of (b)(6), (b)(7)(c) USN(ret.) dtd 5 Sep 19
  - (3) E-mail limiting my contact with (b)(6), (b)(7)(c)
  - (4) E-mails relating to delay in responses (b)(6), (b)(7)(c)
  - (5) (b)(6), (b)(7)(c) Papers
  - (6) E-mail of (b)(6), (b)(7)(c) dtd 8 May 19
  - (7) (b)(6), (b)(7)(c) Report
  - (8) E-mails relating to (b)(6), (b)(7)(c) spaces
  - (9) E-mails relating to (b)(6), (b)(7)(c)
  - (10) E-mail with (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c) dtd 4 and 8 May 19 (Reporting senior issue)
  - (11) E-mail from (b)(6), (b)(7)(c) detailing positive feedback in debriefs
  - (12) (b)(6), (b)(7)(c) timeline
  - (13) (b)(6), (b)(7)(c) POA&Ms
  - (14) Student survey issues
  - (15) (b)(6), (b)(7)(c) trigger paper and emails
  - (16) Information brief to (b)(6), (b)(7)(c) dtd 5 Jun 19
  - (17) E-mails with (b)(6), (b)(7)(c)
  - (18) E-mails with
  - (19) E-mails with
  - (20) E-mails with
  - (21) E-mails with
  - (22) E-mails with
  - (23) E-mails with
  - (24) E-mails with
  - (25) E-mails with
  - (26) (b)(6), (b)(7)(c) Informational Command Brief
  - (27) Commander's Intent dtd 10 Sep 18

1. I respectfully request (b)(6), (b)(7)(c) request that I be detached for cause ("DFC") be denied. While I understand the great latitude afforded a commander in requesting the DFC of a Commanding Officer (CO), this discretion is not unfettered and such a request should not be

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blindly rubberstamped. My DFC request is replete with factual errors and lack of context. Now, having seen the request and enclosures, it is apparent to me that this outcome was predictable for anyone in my position given the personalities, organizational structure, and geographic disconnect between my Commander and me. In this response, my goal is to set the record straight by presenting contemporaneous e-mails, correspondence, and documentation to demonstrate that the facts are not as presented in the request. While I recognize the virtually impossible task ahead of me, I believe that an unbiased view of the evidence of a large, well-functioning shore command with a detachment that was objectively improving in performance and morale will show that my DFC is unwarranted and not in the best interest of the Navy or Navy Medicine.

2. As articulated in reference (a), "DFC is one of the strongest administrative measures used in the case of officers." Even though reference (a) states that it is "imperative that immediate superiors have full confidence in the officer's judgment and ability to command," a request for relief must still be "fact-supported." In the request for my DFC, that is simply not the case. While I will address each of the specific issues identified by (b)(6), (b)(7)(c), I am also providing the character statements, included as enclosures (1) and (2), attesting to my leadership, military bearing, respect, and ability to carry out long-term vision. These qualities are called into question by (b)(6), (b)(7)(c); however, (b)(6), (b)(7)(c) who provided statements on my behalf wholeheartedly dispute (b)(6), (b)(7)(c) opinion. Furthermore, I am punctual and dispute that I was ever thirty minutes late to a meeting as alleged by the Deputy. I submit that these qualities are not ones that are lost upon PCS, and while it is difficult to disprove the general assertions lodged against me, I will provide numerous examples of specific contributions during this command tour that demonstrate my achievements and directly undermine the notion that my DFC is necessary or appropriate.

3. I have worked for no fewer than (b)(6), (b)(7)(c) and never faced the ridicule and lack of acceptance that I did during this tour. A review of this request shows that I was on the end of phone calls during which the headquarters staff admits to putting me on mute and having "offline" discussions not shared with me, that the Deputy would tell me that the Commander supported whatever decision I made when there was actually a specifically desired end-state, and that my Commander forced me to work through her Deputy and staff instead of directly with her. When "communication" is at the heart of my Commander's objections about my performance, these command idiosyncrasies demonstrate the communication impediments were not caused by me.

a. I have served in prior billets where I was geographically isolated from my direct CO. Never in these situations was I prevented from going direct to my boss. Between the lag in time this causes in sharing information and the risk of losing context and substance in communicating through multiple layers, I found the buffer imposed by (b)(6), (b)(7)(c) to be inefficient and



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ineffective. Yet, this is the system she chose to impose. Enclosure (3) verifies her direction for me to work through her deputy. It is obvious now reviewing the DFC request that being geographically isolated also resulted in a dynamic where the (b)(6), (b)(7)(c) staff's group think and confirmation bias made it quite difficult for me to succeed. For example, where they reached the joint conclusion that I was disrespectful on the phone, those on my end of phone calls thought the opposite. Additionally, my team did not perceive (b)(6), (b)(7)(c) staff as mentoring or helpful, but rather viewed the staff's relationship with us as adversarial, which created a hostile and toxic working environment with (b)(6), (b)(7)(c) looking for lack of compliance in our actions. Much can be lost in communication when one group is face to face while another group is over the phone. Had I been able to deal directly with (b)(6), (b)(7)(c) without the disconnect and buffers, I believe she would have had a very different assessment of my performance.

b. Inserting a buffer as (b)(6), (b)(7)(c) did is the opposite of my command philosophy. I had a number of experienced Navy Captains who I was privileged to lead, as well as numerous other impressive officers who I trusted to brief (b)(6), (b)(7)(c). In the DFC request and supporting (b)(6), (b)(7)(c) continues to make the assumption if a member of my Triad transmitted or requested information, we were not in sync or I did not have visibility on an issue. In fact, we were able to carry out this practice exactly because we were in sync. I believe in empowering the people who work for me and do not see the value in demanding that all information come directly from me to the ISIC. I have never led this way and never been accused before that this system was improper.

c. Another issue caused by the directive of me working through the deputy was the delay caused by waiting on input. When (b)(6), (b)(7)(c) would ask for updates on an issue, often, the information was awaiting a chop by her deputy or staff. For example (b)(6), (b)(7)(c) proposed moving (b)(6), (b)(7)(c) from our (b)(6), (b)(7)(c) to (b)(6), (b)(7)(c). We were directed to produce a white paper and worked in concert with our sister commands to develop the white paper for decision. The paper was delivered in June and a decision wasn't made until August. Another example is how (b)(6), (b)(7)(c) was one the original drivers for the April meeting at (b)(6), (b)(7)(c). (b)(6), (b)(7)(c) developed a white paper regarding training and (b)(6), (b)(7)(c) including future direction. A key component of this direction was preparing for the requirement promulgated by (b)(6), (b)(7)(c) for (b)(6), (b)(7)(c) training of our (b)(6), (b)(7)(c). I'm not aware of any concrete actions or decisions related to our input in the white paper other than further analysis. See enclosures (4) and (5).

4. The fact that (b)(6), (b)(7)(c) claims I lack the ability to carry out long-term vision and I made decisions that even had the remote possibility of negatively impacting the Navy Medicine enterprise or the Navy at large is false and not borne out by the following specific examples. Following is a handful of examples with supporting documentation demonstrating my judgment,

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strategic thinking and insight. They include positive feedback from (b)(6), (b)(7)(c) and others on multiple initiatives.

a. As recently as 3 May 2019, I was entrusted to generate a short-fused white paper to be briefed to (b)(6), (b)(7)(c). It is inconsistent that if I lacked judgment and vision I would be entrusted to do so, and the e-mail exchanges after the brief demonstrate my work was highly praised by (b)(6), (b)(7)(c) (see enclosure (6)). The brief involved a fundamental change in the organizational structure and functions of Navy Medicine (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

b. (b)(6), (b)(7)(c) is high visibility (b)(6), (b)(7)(c) initiative to give

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c). This program achieved initial operating capability under my watch. The first site is at (b)(6), (b)(7)(c) and is operating in partnership (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

. One task we knew we had to execute was to identify a space for the new detachment.

While conducting a site visit with my (b)(6), (b)(7)(c) team, we were also augmented with the

(b)(6), (b)(7)(c)

Facilities Manager and their (b)(6), (b)(7)(c) Program Manager. On this trip, we identified a

space on (b)(6), (b)(7)(c)

(see enclosure (7)). We were in the process of obtaining space and coordinating other logistics when we were told by (b)(6), (b)(7)(c) Academics staff to stand down. Only a few months later, (b)(6), (b)(7)(c) staff informed us we lacked the space at (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(enclosure (8)). Obviously, we had already recognized this problem in October 2018 and had been taking steps to resolve it when (b)(6), (b)(7)(c) stopped us. This situation demonstrates my ability to identify issues and find solutions and shows how (b)(6), (b)(7)(c) failed to support us in our missions or effectively communicate amongst themselves.

c. (b)(6), (b)(7)(c) and its subordinate element, (b)(6), (b)(7)(c) are the only Navy medicine

entities that conduct platform training for teams who provide (b)(6), (b)(7)(c) As

part of Navy medicine transformation, an effort was made to move (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

functions. (b)(6), (b)(7)(c) is the (b)(6), (b)(7)(c) in Navy medicine. On short notice of only three days (including a weekend), my team made major contributions to the white paper to brief the (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c).

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

in a building with no electronic access. Master Chief (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

mentions I missed the (b)(6), (b)(7)(c) meeting during (b)(6), (b)(7)(c) He fails to note I was in

“parking lot” during a break coordinating the (b)(6), (b)(7)(c) information brief for (b)(6), (b)(7)(c).

Also when I returned the meeting space had been moved. I assure you normally my CMC would have notified me but there was no means of electronic communication The (b)(6), (b)(7)(c) brief was scheduled following

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(b)(6), (b)(7)(c) at the (b)(6), (b)(7)(c) symposium (b)(6), (b)(7)(c) had me pulled out of a (b)(6), (b)(7)(c) panel in order to brief and advocate directly to (b)(6), (b)(7)(c) for our preferred COA of keeping (b)(6), (b)(7)(c) under (b)(6), (b)(7)(c). I was informed less than thirty minutes prior to the brief. This event occurred less than 24 hours after (b)(6), (b)(7)(c) issued me the LOI. The brief ended up including direct questioning from (b)(6), (b)(7)(c), as well as a point counterpoint with (b)(6), (b)(7)(c) who is now (b)(6), (b)(7)(c). I submit that if I lacked judgment, vision, foresight and lack of ability to communicate to seniors, (b)(6), (b)(7)(c) would not have asked me to brief such important leaders on such a significant matter and with minimal preparation time. It is important to note the position I advocated for prevailed. See enclosure (6).

d. (b)(6), (b)(7)(c) is one of the few Navy entities on (b)(6), (b)(7)(c). Following is an example of an event with Navy-wide impact where I led my command effectively communicating and executing. (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) (b)(6), (b)(7)(c), we were contacted and asked to muster him to assist with accountability. I recognized that (b) this was very high visibility and needed to be formally requested from (b)(6), (b)(7)(c) and ultimately implemented with clear guidance. After obtaining formal tasking, we executed this mission flawlessly. The (b)(6), (b)(7)(c) episode demonstrates where I executed sound judgment in a situation that actually did impact Navy Medicine as well as the Navy and I ensured my command handled the situation well. See enclosure (9).

e. Due to my Triad's concerns regarding promotion rates in (b)(6), (b)(7)(c), I reviewed the reporting senior and ranking system, developed a more competitive plan, and socialized it with (b)(6), (b)(7)(c) (see enclosure (10)). Ultimately, I pulled E6 evals across (b)(6), (b)(7)(c) up to the (b)(6), (b)(7)(c) XO level and E7 and above to me (CO) as of this year. My rationale was we were not taking advantage of benefit large summary groups and improved quality control, as evidenced by issues we had noted with the evaluation in an Article 138 with a (b)(6), (b)(7)(c). Also, I could find no other command in Navy medicine where the CO was not the reporting senior for E7 and above. Our promotion rate reflected how soft rankings were not helpful and I knew we had plenty of strong performers. The change paid dividends almost immediately for our Sailors. The action of pulling reporting senior up recently took place with O6 Fitness reports. My Triad put in considerable work to explain the rationale to the whole command, including multiple Captains' calls across the command. Although the view by some, particularly those who were unfamiliar with the nuances of the promotion process, was initially negative, I believe the command understands the rationale and benefit now. I expect to see a continued increase in promotions across (b)(6), (b)(7)(c). This is another example of me identifying an issue, developing a solution in conjunction with input from (b)(6), (b)(7)(c) (while I was still allowed to talk directly to



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(b)(6), (b)(7)(c) effectively communicating the decision to the command, and obtaining a positive result for (b)(6), (b)(7)(c).

5. (b)(6), (b)(7)(c): I specifically dispute the allegations and assertions made against my leadership of (b)(6), (b)(7)(c). As background, (b)(6), (b)(7)(c) is a geographically distant detachment had with several years of poor command climate and subpar performance prior to my assuming command in (b)(6), (b)(7)(c) of 2018. Examples of the challenges I inherited primarily relate to a culture of hazing at (b)(6), (b)(7)(c). The (b)(6), (b)(7)(c) was aware of continued problems at (b)(6), (b)(7)(c) and I know (b)(6), (b)(7)(c) felt pressure from the (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c) to effect change. One of my biggest challenges with regards to changing the culture at (b)(6), (b)(7)(c) was the lack of actual support from (b)(6), (b)(7)(c) (vice checklists and meetings). As discussed in more detail below, (b)(6), (b)(7)(c) supported the most culpable perpetrator of the hazing and she also gave a pass to the previous (b)(6), (b)(7)(c) OIC, whom I cautioned with a NPLOC. Although I agree that there was room for improvement, and I expected improvement, (b)(6), (b)(7)(c) was on a positive track that (b)(6), (b)(7)(c) does not recognize and apparently did not relay to the (b)(6), (b)(7)(c). I will address the issues related to (b)(6), (b)(7)(c) listed in the request for DFC in order below. Separately, (b)(6), (b)(7)(c) DFC request does not cite any specific actions or orders that I ever "disobeyed." A review of the POA&M will show that all actions were completed or were in the process of completing additional taskings. As stated above, I absolutely deny that I ever disrespected anyone, especially (b)(6), (b)(7)(c). I believe the basis for this accusation is the perception of (b)(6), (b)(7)(c) her Deputy and Command Master Chief (CMC) during phone calls and my team will verify I was always respectful.

a. I believe the heart of my conflict with (b)(6), (b)(7)(c) and the true reason for my DFC is that what she perceived as "lack of progress" with regards to the POA&M translated into lack of judgment, foresight and respect for her authority. While I dispute the facts surrounding the POA&M, a checklist of action items was never going to quantify or achieve the actual objective, which was to change the culture and climate of (b)(6), (b)(7)(c). Although not as tangible and harder to communicate than a checklist, we made unbelievable strides in this important objective. In over a year, there were no further scandals and patterns of destructive behavior. If the objective was turning around (b)(6), (b)(7)(c), my team should be receiving high praise. When I brought up the success of (b)(6), (b)(7)(c) in July, (b)(6), (b)(7)(c) responded that they would have problems again, to the dismay of my team. In fact, the status has been validated by a very unusual MEDIG visit to (b)(6), (b)(7)(c) and two consecutive DEOCS surveys. Additionally, (b)(6), (b)(7)(c) had (b)(6), (b)(7)(c) selects this promotion cycle. We had successful visits from the (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c). The actions in the POA&M will be valuable and help maintain (b)(6), (b)(7)(c) current progress (many of the actions we had already taken and most completed). There is no objective evidence to support the contention in my LOI regarding my insufficient command and control of subordinate Dets, and I know my OICs will support my position. The mission success of (b)(6), (b)(7)(c) and my performance as a Commanding Officer as a

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whole were completely ignored. Although the lack of recognition of the immense progress made by (b)(6), (b)(7)(c) was frustrating, and my questioning attitude may have been misperceived, I never intended to, and believe I never was disrespectful towards (b)(6), (b)(7)(c) authority.

b. I deny that I acted passively and believe this characterization is not supported by the facts. We had already identified a number of actions that were included in the POA&M and completed them before we even received (b)(6), (b)(7)(c) direction because I, along with (b)(6), (b)(7)(c) leadership, had been aggressively working to change the culture and climate at (b)(6), (b)(7)(c). See enclosure (11). For example, we implemented several positive changes, including how the (b)(6), (b)(7)(c) is conducted, the post-course interviews, and survey using Navy Education and Training Command (NETC) Unit Summary Report and End of course Instruction Survey (b)(6), (b)(7)(c). As noted by the (b)(6), (b)(7)(c) timeline, I was engaged in improving (b)(6), (b)(7)(c) from day one of assuming command prior to (b)(6), (b)(7)(c) even assuming command at (b)(6), (b)(7)(c). The (b)(6), (b)(7)(c) complete investigation and (b)(6), (b)(7)(c) directions did not occur until four months after I assumed command and started implementing positive changes. See enclosure (12).

c. I contend (b)(6), (b)(7)(c) was in fact already turning back to course for success. I shared my assessment of (b)(6), (b)(7)(c) with (b)(6), (b)(7)(c) in our first conversation when she expressed her concern about (b)(6), (b)(7)(c) because she had to answer to the (b)(6), (b)(7)(c) and the (b)(6), (b)(7)(c), who were focused on the detachment. She initially expressed she did not agree with or trust my assessment and later did not accept the (b)(6), (b)(7)(c) transformation despite overwhelming evidence, including a positive IG and two consecutive DEOCS. While (b)(6), (b)(7)(c) never defined what "success" for (b)(6), (b)(7)(c) was in her estimation, it appears her definition of success was to complete the actions set forth in the POA&M, so she could demonstrate what she had accomplished. By February 2019, it was clear to me that my actions and those of the OIC were effective in moving (b)(6), (b)(7)(c) in the right direction. There were no further scandal or patterns of destructive behavior and (b)(6), (b)(7)(c) effectively executed its mission, including transitioning to in (b)(6), (b)(7)(c) training for (b)(6), (b)(7)(c) students, increased graduation rate and a marked increase in promotions.

d. I dispute (b)(6), (b)(7)(c) implication that her staff "mentored" me. My staff and I never felt that (b)(6), (b)(7)(c) had confidence in us and perceived them as being adversarial vice mentoring or helpful. I was directed to speak with Deputy once a week following the April counseling. We had a telecom each Friday. He states in his MFR I was 30 minutes late for our telecom twice. He is mistaken, I called early as is my practice. I recall one occasion calling 5 minutes later than scheduled due to an emergent issue and he wasn't available when I called back just 5 minutes later than scheduled. At the conclusion of the (b)(6), (b)(7)(c) POA&M meeting in July, the Deputy stated he would call me to give his follow up input. When he did not call, as he notes in his MFR, I called him. However, he did not even respond. In fact, when I called him on most occasions, he did not respond until the scheduled Friday call. Following the LOI, there was supposed to be a 60 day follow up with (b)(6), (b)(7)(c) which never happened. The directed calls with

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the new Deputy were not mentoring sessions. They consisted of primarily going through tasks or information updates to ensure we were in sync and going through the POA&M (enclosure (13)). Much of the time was spent getting the Deputy up to speed on multiple topics as he was new and not at all familiar with (b)(6), (b)(7)(c). The Deputy appeared biased from our first meeting, likely a result of his introduction to me including (b)(6), (b)(7)(c) counseling us for "underperforming". Our relationship was never collegial as I had experienced with prior Chiefs of Staff or Deputy commanders throughout my career, and there are numerous examples of where he did not provide responses on due outs owed to the (b)(6), (b)(7)(c). For example, I provided him with the revised (b)(6), (b)(7)(c) Trigger paper never responded to the revised version. I communicated with the Deputy and (b)(6), (b)(7)(c) to set up 60-day follow-up. It was finally scheduled August 26 well after 60 days had elapsed. However, I was relieved before we could complete the LOI close out. I was scheduled for a Fitrep debrief with (b)(6), (b)(7)(c) the day she decided to come to (b)(6), (b)(7)(c) and relieve me of command instead.

e. When the Deputy sent an email to all Commanders and staff directing all communication to (b)(6), (b)(7)(c) go through him, I was surprised (enclosure (3)). I have worked as a direct report to a number of (b)(6), (b)(7)(c) and have always respected the direct access and usually went through the Chief of Staff. However, his email represented the first time I had experienced being directed not to contact (b)(6), (b)(7)(c) directly. The effect of the email was to further chill communication and any possible mentoring from (b)(6), (b)(7)(c) which was crucial when she clearly had very specific expectations. (b)(6), (b)(7)(c) never indicated to me that she felt I was performing so poorly or had lost further confidence following the LOI. The Deputy, though these filtered communications, never shared this with me either.

f. (b)(6), (b)(7)(c) asserts her direction was completely clear regarding the (b)(6), (b)(7)(c) POA&M and that I violated her directions. However, she omits the fact that she added and changed details on what she was requiring and fails to provide an accurate assessment of what we actually did execute. An example of the variation is the basic requirement for the (b)(6), (b)(7)(c) OIC and (b)(6), (b)(7)(c) CO to brief (b)(6), (b)(7)(c). I was standing by with the (b)(6), (b)(7)(c) OIC in February and was told not to include (b)(6), (b)(7)(c) OIC. When the new Deputy participated in his first POA&M review, I explicitly asked and pointed out the (b)(6), (b)(7)(c) OIC should be included. My legal team made the same query. We were both told by (b)(6), (b)(7)(c) that the (b)(6), (b)(7)(c) OIC was not to be included in telecom. On a subsequent and last telecom, the Deputy said that (b)(6), (b)(7)(c) OIC was supposed to be in the POA&M brief. I explained that we had asked before and we were told not to include the (b)(6), (b)(7)(c) OIC both initially and again last month. In addition, I offered to have him dial in immediately as we always had him standing by and in fact communicated with (b)(6), (b)(7)(c) OIC during brief. (b)(6), (b)(7)(c) declined. Another example is the assertion that we did not work to find a solution to moving the (b)(6), (b)(7)(c). CMCDM (b)(6), (b)(7)(c) MFR (DFC encl (1) letter I) is a blatant misrepresentation of the facts contains numerous factual errors. We worked hard to



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move the (b)(6), (b)(7)(c). I was aware of and directly witnessed my command SEL interacting with the Enlisted Community Manager (ECM), the Detailer and others, including the Sailor, to find a suitable billet for the (b)(6), (b)(7)(c) to move to (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c) When we exhausted those options, I sent an email to Deputy asking for assistance at the Echelon III level.

g. As (b)(6), (b)(7)(c) reports, there was a meeting in (b)(6), (b)(7)(c) on 10 April that was supposed to be the (b)(6), (b)(7)(c) POA&M brief. Following is my impression of the meeting. We addressed questions about the effectiveness of the Triad, but the meeting did not focus on lack of communication with subordinate Dets. I was asked multiple questions about the XO and Triad. I insisted we were doing great and felt we communicated and worked together extremely well.

(b)(6), (b)(7)(c) spoke of her recent visit to (b)(6), (b)(7)(c). She asked if I knew of the (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) I did not. She learned this from her recent visit and "focus groups" with senior enlisted. I responded that while I didn't know of that specific incident, we were well aware that (b)(6), (b)(7)(c) did not get along and were not effectively working together. I explained our plan to move one of them (included in the POA&M), was already being worked on. She mentioned that the (b)(6), (b)(7)(c) khaki felt I was a "nice guy". I responded that I am and I was glad they felt that way, but that they also knew I was firm and maintained good order and discipline, as demonstrated by me taking a (b)(6), (b)(7)(c) to mast (one (b)(6), (b)(7)(c) refused NJP). It was tough for me to hear that (b)(6), (b)(7)(c) felt we were making "rookie mistakes" and they were "holding our hands" because I do not believe that is accurate based on the actual progress (b)(6), (b)(7)(c) was making or the performance of (b)(6), (b)(7)(c) as a command. As (b)(6), (b)(7)(c) closed the meeting, she mentioned putting something in writing, but I had no idea she would be delivering an LOI.

h. The May telecom (b)(6), (b)(7)(c) references was the first POA&M meeting with the new Deputy commander. In the attached POA&M that we discussed, most categories are green. See enclosure (13). In the previous meetings, I briefed by exception and planned to do so in this meeting as well. However, when the meeting started, (b)(6), (b)(7)(c) asked me to go through all of the objectives. As my team would attest to, (b)(6), (b)(7)(c) began to ask questions and add additional directions. She specifically told the Deputy that she did not know what to expect from the brief beforehand. This is hard to reconcile with the fact that she notes in DFC I didn't meet her expectations and we had delivered brief each month in the same format since February. The only outstanding issues remained surveys of demographics and discrimination with both (b)(6), (b)(7)(c) We had executed her directive to make (b)(6), (b)(7)(c) a requirement in February. We continued to work the supporting instructions. The challenge we were overcoming with regards to the creating instructions was that (b)(6), (b)(7)(c) did not have any instructions on point and (b)(6), (b)(7)(c) direction was not in alignment with (b)(6), (b)(7)(c) specifically state (b)(6), (b)(7)(c) is a voluntary program and placing any consequences on not completing (b)(6), (b)(7)(c) qualification is strictly forbidden.



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i. The July meeting did not go well, either. (b)(6), (b)(7)(c) was rushed and clearly frustrated as confirmed by my subsequent conversation with the Deputy. I started briefing all items as (b)(6), (b)(7)(c) had directed I do in the previous meeting, but she interjected and wanted me to brief by exception. (b)(6), (b)(7)(c) focus was on the climate survey to (b)(6), (b)(7)(c), which we were working with her Command Climate Specialist (CCS) on creating. Enclosure (14) explains the student survey issues. Another challenge was the assessment of staff demographics because the data was not readily available (our solution was to identify their demographic through (b)(6), (b)(7)(c)). As a separate matter, PERS does not detail based on ethnicity or race and demographics should not be referenced in a FITREP, so even if we identified an issue, the utility of this information would have been limited. (b)(6), (b)(7)(c) asserts that I did not meet her expectations with regards to (b)(6), (b)(7)(c) certification. In fact, we immediately executed her direction and tracked (b)(6), (b)(7)(c) qualification at (b)(6), (b)(7)(c) when directed to in February. We track (b)(6), (b)(7)(c) status across the entire command and have a high rate of instructor qualification without it being mandatory. In order to meet (b)(6), (b)(7)(c) direction with regards to (b)(6), (b)(7)(c) qualification, I characterized the (b)(6), (b)(7)(c) mandatory qualification requirement for (b)(6), (b)(7)(c). I did not see value in making this a requirement for the whole command as it is not consistent with (b)(6), (b)(7)(c). However, in order to meet (b)(6), (b)(7)(c) direction, we changed (b)(6), (b)(7)(c) instruction.

j. In the July meeting, (b)(6), (b)(7)(c) also brought up the (b)(6), (b)(7)(c) Trigger paper (enclosure (15)), which she had requested at the same time I was issued the LOI in May. The trigger paper was supposed to address what to do if (b)(6), (b)(7)(c) had continuing problems. I dispute her assertion that I was unprepared to discuss this. In fact, while I was not intending to brief on the trigger paper at this meeting, I was well prepared to discuss it and had provided the Deputy with numerous White papers to review before this presentation to th (b)(6), (b)(7)(c). (b)(6), (b)(7)(c) proceeded to state both the (b)(6), (b)(7)(c) Way Forward and the (b)(6), (b)(7)(c) Trigger paper were not what she was looking for. I had been directed to draft the "Way Forward for (b)(6), (b)(7)(c)" paper as part of the (b)(6), (b)(7)(c) POA&M. Of note, (b)(6), (b)(7)(c) had directed the (b)(6), (b)(7)(c) Trigger paper was separate from content of the (b)(6), (b)(7)(c) POAM so her bringing this Trigger paper into the POAM brief did surprise us. Neither the Deputy nor anyone on the (b)(6), (b)(7)(c) staff said a word when (b)(6), (b)(7)(c) pointed out the content was not what she was looking for. I am disappointed the Deputy nor any of the (b)(6), (b)(7)(c) staff did not speak up and admit the fact that I had provided him with the two papers and he failed to review or return input to me as planned (enclosure (4)).

6. ADSEP: Regarding (b)(6), (b)(7)(c) assertions with regards to the administrative separation (ADSEP) issue, I fully understand and appreciate her role as the final arbiter of the ADSEP recommendation and deny I took her decision personally and complained. (b)(6), (b)(7)(c) admonished me for failing to solicit legal advice from "higher authority." What she perceived as complaining was likely frustration in my voice over the phone because I had

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obtained legal advice from her staff in making my decision and recommendation to ADSEP the sailor at issue. Again, the geographic disconnect between me and (b)(6), (b)(7)(c) and her staff resulted in an untenable relationship and I hope that upon review, the challenging situation in which I found myself becomes apparent.

a. As procedural background to this case omitted in my DFC request, this situation involved a night of drinking and damage caused to the barracks. I consider this a good order and discipline issue and it is particularly important to me to enforce standards, as off-duty misconduct often leads to greater issues, most significantly of which is alcohol-facilitated sexual assault. In this case, I chose to offer the sailor NJP to address her misconduct and believed that appropriate punishment would serve as a behavior correction tool and deterrent to future misconduct and risky behavior. The sailor refused NJP. Had the sailor accepted NJP and accepted her punishment as corrective action, I would not have notified her for ADSEP. However, when a sailor refuses NJP, ADSEP is often the next course of action (as opposed to court-martial or no action at all). Based on the NJP refusal and after obtaining legal advice from my legal officer and (b)(6), (b)(7)(c), I routed an ADSEP request pursuant to the sailor's request for GCMCA review. When (b)(6), (b)(7)(c) disagreed with my recommendation, which I understand is completely her prerogative, she questioned where I obtained legal advice, and her paralegal, (b)(6), (b)(7)(c), did not admit that he advised (b)(6), (b)(7)(c) on this issue. While I do not believe I complained, I did inadvertently question (b)(6), (b)(7)(c) judgment and unbeknownst to me, he was present on the other end of the phone call. It is not my modus operandi in general, nor was it my intention in this situation to call him out in front of the group. But, (b)(6), (b)(7)(c) perception that I was complaining about her disagreeing with my ADSEP recommendation is mistaken. When confronted with not obtaining higher-level legal advice, I told the truth and said that we had. I believe I have a right to be frustrated when the legal advice she told me I should have gotten and did get was not sound, but her mistaken perception should not contribute to my DFC.

b. I therefore dispute (b)(6), (b)(7)(c) assertion that I relied solely on my legal officer. I ensured that we consistently obtained additional legal advice from (b)(6), (b)(7)(c) legal staff (i.e., "higher authority"). I expect that if we did not have evidence to support ADSEP, I would have been advised of that when we specifically solicited advice on that specific issue. Had I been advised that there was any question as to whether there was a basis to separate or that (b)(6), (b)(7)(c) did not want to, I obviously would not have pursued this course. I presumed based on my prior experience as CO/XO at (b)(6), (b)(7)(c), that I could rely on legal advice from the SJA's office at the ISIC level.

c. It is with this background on the reason for ADSEP in this particular case, as well as my pattern of obtaining legal advice in general from "higher authority," that I believe the facts are not what is documented in the request for DFC. After this issue, I directed my team to





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the misconduct that came to light made me doubt the ability of this officer to serve in the position he was currently holding. (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c). I understand that there are other options and that DFC was not (b)(6), (b)(7)(c) desired COA. I obtained advice from (b)(6), (b)(7)(c) legal staff (enclosure (19)), direction from her deputy, the (b)(6), (b)(7)(c) and in the end, did not request the DFC. Nowhere in this situation do I believe that I exercised poor judgment or that a DFC was inappropriate given the misconduct and how the case unfolded. Finally, if (b)(6), (b)(7)(c) now claims to take issue with me allowing my XO to communicate with her, or how I communicated, but did not tell me, I am disappointed that I was not afforded the opportunity to be informed at the time so that I could adjust to meet her expectations.

8. (b)(6), (b)(7)(c) : The Chief at issue in this allegation was the main perpetrator of substantiated hazing at (b)(6), (b)(7)(c). Each of the points (b)(6), (b)(7)(c) faults me for I continue to stand by as appropriate actions to maintain standards and hold accountable someone who committed (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) decision to side with the (b)(6), (b)(7)(c) demonstrated to the unit that she condoned his behavior and she eroded my authority in an event that occurred only 60 days into my leadership. I cannot convey my shock at her granting relief to the (b)(6), (b)(7)(c) UCMJ Article 138 complaint with a supplementary Chief Evaluation and her revocation of my authority for ADSEP.

a. Addressing each issue, ADSEP was appropriate in this case considering that the (b)(6), (b)(7)(c) was the most culpable perpetrator (b)(6), (b)(7)(c) and he refused NJP. I stand by this decision. I also stand by the recommendation to pull the (b)(6), (b)(7)(c) designation and not the others. (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c). As mentioned above, the (b)(6), (b)(7)(c) was the most culpable and the least willing to assume accountability, which are characteristics that are not consistent with being a (b)(6), (b)(7)(c) or a Chief Petty Officer. Finally, while he deserved an adverse eval for the reporting period in light of his misconduct, my OICs still had authority and were signing as reporting senior for E7 and above. I could have minimized some of the complaints with regards to the eval had I been more directive with the OIC regarding Fitreps for everyone involved (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

b. As the (b)(6), (b)(7)(c) continued to evolve, I was shocked when (b)(6), (b)(7)(c) notified me that she was pulling my ADSEP authority. Her vague justification that along the lines of it being the best course of action did not include any cogent rationale. She stated when we completed the phone call, she expected we would execute her directions and as expected of leaders, carry on without dissension as the decision was made. While we vehemently disagreed with her decision and the impact actually made some of the culture changes more difficult to achieve at (b)(6), (b)(7)(c) we did not complain or in any way try to undermine her authority. We

notified our subordinates and pushed on. The impact on all of us, including (b)(6), (b)(7)(c), was devastating, as de facto the main perpetrator (b)(6), (b)(7)(c) received a pass (b)(6), (b)(7)(c) (b)(6), (b)(7)(c). The decision was even more challenging as we had the ADSEP scheduled and were advised by (b)(6), (b)(7)(c) legal and Deputy to wait until the latest IG allegations were investigated, which we did. When she made this decision, it was with the background that the recent IG complaints on evaluation perjury, favoritism and hostile work environment were unsubstantiated.

(b)(6), (b)(7)(c) told us that when we delivered the news to the (b)(6), (b)(7)(c), she did not expect him to “gloat.” At (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c), we knew (b)(6), (b)(7)(c) would and what impact his actions would have. (b)(6) staff further undermined (b)(6), (b)(7)(c) when the SJA sent the response to 138 complaint directly to the (b)(6), (b)(7)(c) defense counsel vice routing it to him via the chain of command. Not surprisingly, (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) (b)(6), (b)(7)(c)

e. Also of note, on her subsequent visit to (b)(6), (b)(7)(c) held focus groups with the CPO Mess and did not allow the (b)(6), (b)(7)(c) or (b)(6), (b)(7)(c) in the room, despite my CMC and I requesting to be present. This further undermined good order and discipline and trust as it occurred after (b)(6), (b)(7)(c) removed my ADSEP authority.

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level of potential. The withdrawal of the recommendation did not occur after further inquiry as reported. I later withdrew the recommendation after further poor performance leading to a NPLOC issued on (b)(6), (b)(7)(c) 2019. Had (b)(6), (b)(7)(c) taken issue with my rationale or decision-making process, she did not express it at the time and I was completely unaware of the problem until seeing the DFC request (see enclosure (21)).

11. (b)(6), (b)(7)(c): The lack of context regarding the direct request for the (b)(6), (b)(7)(c) to participate in (b)(6), (b)(7)(c) is misleading. The by-name request for support of the embedded (b)(6), (b)(7)(c) came directly from (b)(6), (b)(7)(c). That officer's participation in (b)(6), (b)(7)(c) had no impact whatsoever on the courses delivered by (b)(6), (b)(7)(c) unilateral assertion that it did is inaccurate and completely without justification.

a. (b)(6), (b)(7)(c) course run by (b)(6), (b)(7)(c) at (b)(6), (b)(7)(c) has one (b)(6), (b)(7)(c) as an (b)(6), (b)(7)(c) who serves as (b)(6), (b)(7)(c). (b)(6), (b)(7)(c) leadership are responsible for conducting the course. (b)(6), (b)(7)(c) leadership are in a supporting role. Navy quotas for the course are set at the beginning of the year and were locked in at (b)(6), (b)(7)(c). I agree that there is an issue with shortage of seats, but that is not directly related to (b)(6), (b)(7)(c) and was absolutely not exacerbated by this TDY as it fell between classes (see enclosure (22)). There are a number of factors that impact the lack of seats, which we addressed in the White paper on (b)(6), (b)(7)(c) requested by (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c) staff. See enclosure (5).

b. It appears (b)(6), (b)(7)(c) decided the (b)(6), (b)(7)(c) TDY to (b)(6), (b)(7)(c) contributed to the shortage of seats, but in light of the fact the quotas were locked in for the entire fiscal year and this TDY fell between courses, this is verifiably false. The (b)(6), (b)(7)(c) was a by name RFS from (b)(6), (b)(7)(c) to support the recurring (b)(6), (b)(7)(c). The (b)(6), (b)(7)(c) was funded by (b)(6), (b)(7)(c). The timing of the TAD was vetted and had no impact on the training at (b)(6), (b)(7)(c) (enclosures (22)-(22)). The assertion by CAPT (b)(6), (b)(7)(c) in enclosure (23) that the (b)(6), (b)(7)(c) was "marching to his own orders vice those of Navy Medicine" is directly disputed by the fact that it was (b)(6), (b)(7)(c) who requested him by name and the assertion that this TDY had any impact on quotes or delivery of classes is verifiably false.

13. (b)(6), (b)(7)(c) Presentation: There are two primary inaccuracies expressed in the (b)(6), (b)(7)(c) presentation issue. First, the request became short fused because I received no response to the request from (b)(6), (b)(7)(c) for thirty days (until I reengaged). To assign blame to me and characterize the request as "delinquent" when the delay was caused by (b)(6), (b)(7)(c)



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(b)(6), (b)(7)(c) staff is wrong and unjust. Second, I did not blithely support the presentation and felt the routing process was important, which is why I allowed for so much time for it to be vetted.

a. As background, (b)(6), (b)(7)(c) is the home of the (b)(6), (b)(7)(c), (b)(6), (b)(7)(c). On (b)(6), (b)(7)(c) present case presentations at the (b)(6), (b)(7)(c) meeting.

b. I did endorse the presentations using our (b)(6), (b)(7)(c) process, including PAO authorization. The (b)(6), (b)(7)(c) presentation was reviewed at multiple levels prior to me, including by the (b)(6), (b)(7)(c) program director and the (b)(6), (b)(7)(c) O-6 OIC. All of us confirmed that the presentation did not contain PHI. Through the vetting process, we deemed the risk as extremely minimal and acceptable that the subject of the presentation could be identified, and this presentation was not going to be published. I was well aware the topic was (b)(6), (b)(7)(c) and would require approval from (b)(6), (b)(7)(c) and higher. I therefore marked this on my endorsement and specifically stated so in numerous emails (enclosures (24)-(25)). Furthermore, contrary to the representation in the DFC stating "when my command's concerns were relayed he immediately withdrew his request," I had already expressed concern regarding (b)(6), (b)(7)(c) having proper time to vet, let alone route to (b)(6), (b)(7)(c) as noted in email string (DFC request enclosure (17)). As expressed in emails, I recognized we were not likely to get approval and once this was clear I withdrew the request.

c. Assigning blame to me for this request becoming short-fused is telling. In fact, (b)(6), (b)(7)(c) received the request on 3 April 2019, which should have been ample time to review. Unfortunately, the PAO, (b)(6), (b)(7)(c), did not review the request. The fact that (b)(6), (b)(7)(c) chose not to review it at all until after I followed up on 2 May does not thereby make our request delinquent (see enclosure (24)). In other words, the request was only "short fused" because (b)(6), (b)(7)(c) staff didn't act on it for 30 days until I reengaged on the request.

d. My actions did not reflect any lack of ability to see or avoid harm to the Navy Medicine enterprise. However, (b)(6), (b)(7)(c) lack of timely response did harm our (b)(6), (b)(7)(c) opportunity to meet required presentations for their (b)(6), (b)(7)(c). The (b)(6), (b)(7)(c). It is important in medicine in general and Navy Medicine in particular to educate on sensitive topics. The routing process exists to provide safeguards to accuracy and messaging and the fact that changes were recommended upon review does not render the presentation inappropriate. In the absence of PHI, PII, (b)(6), (b)(7)(c) this brief should have been permitted and could have been delivered had (b)(6), (b)(7)(c) request been reviewed in time by (b)(6), (b)(7)(c)



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14. Disorganized packages: The claim of disorganized packages and information relates to the delivery of the last (b)(6), (b)(7)(c) POA&M and multiple enclosures that were provided to the Deputy. The email did contain numerous enclosures, including many supporting documents from prior (b)(6), (b)(7)(c) POA&M briefs. While I will stipulate labeling enclosures would have been helpful, this was a read ahead to the Deputy for input vice a final version. The complaint of disorganization alleged in my DFC request completely ignores the numerous polished White paper briefs that (b)(6), (b)(7)(c) sent to (b)(6), (b)(7)(c). Our work product is consistently well-organized and high quality, and was utilized by (b)(6), (b)(7)(c) to advance the mission. This episode is embellished taken out of context to paint an unfair picture of my performance.

15. In conclusion, I provide the detailed context, explanation, and defense in this response to ensure the accuracy of what happened during my command tour and ensure the truth is reflected in this devastating relief. Commanding (b)(6), (b)(7)(c) was an honor and I truly believe I left the command better than I found it. The geographic diversity and varied mission sets of the (b)(6), (b)(7)(c) detachments were a challenge and I am immensely proud of the sailors and officers I led. See enclosure (26). I inherited a troubled detachment and ensured it achieved significant progress. The character statements from (b)(6), (b)(7)(c) demonstrate my respect for authority, leadership qualities and ability to carry out a long-term vision. The Commander's Intent vision statement I issued on 18 September 2018 (enclosure (27)) is something I lived by and led by every day. The leader I am is not accurately depicted in this request for DFC. (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c). On the contrary, particularly in my case, which does not involve any sort of mishap, misconduct or climate issues (b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c). Despite my current professional circumstances, I remain very grateful for the privilege to command and believe I have significant contributions left to make to the Navy. For the forgoing reasons, I humbly and respectfully request that I not be detached for cause and instead be provided the opportunity to continue my career without this unwarranted blemish on my record.

(b)(6), (b)(7)(c)

16 Aug 19

FIRST ENDORSEMENT OF (b)(6), (b)(7)(c) ltr 1611 Ser 00J/285 of 13 Aug 19

From: CAPT (b)(6), (b)(7)(c) MC USN  
To: (b)(6), (b)(7)(c)  
Via: Staff Judge Advocate

Subj: DETACHMENT FOR CAUSE ICO CAPT (b)(6), (b)(7)(c) MC USN  
Ref: (a) MILPERSMAN 1611-020

1. Respectfully request the following in order to have the opportunity to submit a thorough written statement in response to the DFC letter.

a. Allow access to office email, computer files, and documents in order to respond to the multiple incidents described in DFC letter.

b. Allow for an additional 15 days to prepare a response since it is obvious NMETLC has been developing support for multiple claims over a period of months.

c. Allow contact with those individuals who made statements to discuss background, facts and issues in their statements, and to determine their willingness to discuss with me.

d. (b)(6), (b)(7)(c)  
(b)(6), (b)(7)(c) this DFC.

2. Please provide written confirmation of receipt of this request. Thank you.

Very respectfully,

(b)(6), (b)(7)(c)



(b)(6), (b)(7)(c)

Ser 00J/285  
13 Aug 19

From: (b)(6), (b)(7)(c)

To: Commander, Navy Personnel Command (PERS-834)

Via: CAPT (b)(6), (b)(7)(c) MC, USN

Subj: DETACHMENT FOR CAUSE ICO CAPT (b)(6), (b)(7)(c) MC, USN

Ref: (a) MILPERSMAN 1611-020

- Encl:
- (1) CMDCM (b)(6), (b)(7)(c) Memorandum for the Record of 12 Aug 19
  - (2) CAPT (b)(6), (b)(7)(c) Memorandum for the Record of 12 Aug 19
  - (3) Commander, (b)(6), (b)(7)(c) ltr 1910 Ser 00J/352 of 9 Nov 18
  - (4) Staff Judge Advocate (b)(6), (b)(7)(c) POA&M Actions Timeline of 2 Aug 19
  - (5) (b)(6), (b)(7)(c) Memorandum for the Record of 22 Feb 19
  - (6) Commander, (b)(6), (b)(7)(c) Handwritten Notes of 10 Apr 19
  - (7) Commander, (b)(6), (b)(7)(c) ltr 1611 Ser 00J/110 of 6 May 19
  - (8) Email btwn (b)(6), (b)(7)(c) (CMC) CMDCM (b)(6), (b)(7)(c) (Deputy) CAPT (b)(6), (b)(7)(c) of 29 May 19
  - (9) Email btwn (b)(6), (b)(7)(c) (Deputy) CAPT (b)(6), (b)(7)(c) of 29 May 19
  - (10) (b)(6), (b)(7)(c) Memorandum for the Record of 8 Jul 19
  - (11) (b)(6), (b)(7)(c) tr 1910 Ser 00J/351 of 6 Nov 18
  - (12) (b)(6), (b)(7)(c) Information of 2 Aug 19
  - (13) (b)(6), (b)(7)(c) Memorandum for the Record of 12 Aug 19
  - (14) (b)(6), (b)(7)(c) of 19 Mar 19
  - (15) Proposed Powerpoint on (b)(6), (b)(7)(c) Case Study [redacted] undated
  - (16) Email btwn (b)(6), (b)(7)(c) (CO) CAPT (b)(6), (b)(7)(c) (Deputy) CAPT (b)(6), (b)(7)(c) of 1 May 19
  - (17) Email btwn (b)(6), (b)(7)(c) (CO) CAPT (b)(6), (b)(7)(c) (Deputy) CAPT (b)(6), (b)(7)(c) of 1 Jul 19
  - (18) CAPT (b)(6), (b)(7)(c) Memorandum for the Record of 13 Aug 19

1. Per reference (a), I request that CAPT (b)(6), (b)(7)(c) MC, USN, be detached for cause from his position as Commanding Officer (CO) (b)(6), (b)(7)(c) by reason of my loss of confidence in his judgment and ability to command.

2. CAPT (b)(6), (b)(7)(c) reported to (b)(6), (b)(7)(c) on (b)(6), (b)(7)(c) 2018, and assumed command on (b)(6), (b)(7)(c) 2018. I relieved him of his duties as CO on 13 August 2019.

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Any misuse or unauthorized disclosure may result in both civil and criminal penalties.

3. My loss of confidence in CAPT (b)(6), (b)(7)(c) judgment and ability to command is not based on a single data point but rather ongoing concerns in a variety of interactions. Overall, I am concerned about his lack of ability to demonstrate long-term thinking, his lack of insight into the enterprise-wide effects of his actions, his resistance to believe that he has room for improvement, and his lack of ability to take direction. CAPT (b)(6), (b)(7)(c) has continued to make decisions which have actually, or have had the potential to, negatively affect the entire Navy Medicine enterprise. Enclosures (1) through (17) document the events that have led to this request.

4. On 2 August 2018, I met with all of my subordinate Commanding Officers to set expectations for them. On multiple occasions, and despite the continued mentorship provided by me and two of my Deputy Commanders, CAPT (b)(6), (b)(7)(c) has failed to meet those expectations. Enclosures (1) and (2) document concerns observed by my Command Master Chief, my current Deputy Commander, and my previous Deputy Commander. Many of these incidents are discussed in greater depth below.

5. Over the course of the last year, CAPT (b)(6), (b)(7)(c) has failed to execute my explicit directions regarding one of his subordinate commands. Despite support from myself, my staff, and my Deputy Commanders, he has failed to follow my orders. Furthermore, he has demonstrated disrespect when questioned about his failures.

a. Enclosure (3) contains my clear direction regarding a 22 October 2018 JAGMAN Investigation into the Command Climate at (b)(6), (b)(7)(c) a subordinate activity to (b)(6), (b)(7)(c). On 8 November 2018, I reviewed my plan for (b)(6), (b)(7)(c) via telephone conference with CAPT (b)(6), (b)(7)(c) and his team to ensure they understood my direction and they received a written copy of my direction on 14 January 2019. CAPT (b)(6), (b)(7)(c) has acted passively in following through with my direction aimed at improving the command climate and performance of (b)(6), (b)(7)(c).

b. Enclosure (4) documents the ample time that CAPT (b)(6), (b)(7)(c) had to implement my direction and ensure (b)(6), (b)(7)(c) was back on course for success.

c. Despite continued mentorship and progress meetings with myself and my Deputy Commanders, CAPT (b)(6), (b)(7)(c) repeatedly failed to execute my direction.

d. On 22 February 2019, the first progress briefing of (b)(6), (b)(7)(c) Plan of Action and Milestones (POA&M) to correct the deficiencies noted in the investigation, it was clear that CAPT (b)(6), (b)(7)(c) did not execute several of my explicit directions. CAPT (b)(6), (b)(7)(c) gave the impression that he did not find value in executing the recommendations which I ordered him to make, and which were designed at tackling pervasive issues at one of his subordinate commands. Enclosure (5) captures the events of that meeting.

e. On 10 April 2019, I had a face-to-face discussion with CAPT (b)(6), (b)(7)(c) and his Senior Enlisted Leader (SEL) about needed improvements related to their response to this investigation and other issues. This meeting was focused on the triad's lack of effective communication with each other, with their subordinate activities, and with (b)(6), (b)(7)(c) [enclosure (6)]. At this meeting, CAPT (b)(6), (b)(7)(c) was instructed to engage in weekly scheduled mentorship phone calls with my current



Deputy Commander, CAPT (b)(6), (b)(7)(c) I told CAPT (b)(6), (b)(7)(c) and his SEL that further action may be forthcoming.

f. As a follow-up to the 10 April 2019 meeting, on 7 May 2019, I issued a Letter of Instruction (LOI) to CAPT (b)(6), (b)(7)(c) instructing him to communicate more frequently and effectively with all members of his chain of command, and informing him of his need for improvement [enclosure (7)].

g. Despite the issuance of the LOI and the ongoing mentorship between CAPT (b)(6), (b)(7)(c) and my Deputy Commander, during a 28 May 2019 POA&M progress meeting, CAPT (b)(6), (b)(7)(c) was only able to show little, if any progress. The same questions from the previous meeting were asked once again by myself and my team, with few answers. See enclosures (8) and (9).

h. At the 8 July 2019 POA&M progress meeting, again, little progress was made and my directions were not followed. Furthermore, CAPT (b)(6), (b)(7)(c) spoke in a manner that was disrespectful to me and my staff. See enclosure (10).

i. As a representative example of CAPT (b)(6), (b)(7)(c) failure to execute my direction is his failure to comply with enclosure (3) direction "1" – my direction to update (b)(6), (b)(7)(c) instructions related to the (b)(6), (b)(7)(c) certification. (b)(6), (b)(7)(c) was directed to execute recommendation "1" in my original letter [enclosure (3)], the follow-up meeting in February [enclosure (8)], and the phone call on 28 May 2019 [enclosure (9)]. They had still not executed the direction by 8 July 2019 [enclosure (10)].

j. CAPT (b)(6), (b)(7)(c) failure to properly address the findings of this investigation demonstrate that he lacks the judgment and foresight to understand the importance of implementing the long-term change needed by the command, and that I directed. It demonstrates a lack of respect for my authority as his superior officer and a lack of ability to execute positive change.

6. On 6 November 2018, I reviewed a recommendation for administrative separation routed up to me by CAPT (b)(6), (b)(7)(c) [enclosure (11)]. After analyzing the case with my Staff Judge Advocate, I determined there was insufficient evidence to separate the Sailor for Commission of a Serious Offense and ordered that she be returned to her regular duties. CAPT (b)(6), (b)(7)(c) had difficulty understanding why I determined the case did not meet the minimum requirements for separation. He stated that, before routing, he had checked with his collateral duty legal officer. I emphasized that, as the CO, he has the right to question information or advice he receives as well as to call for higher guidance. Rather than trying to understand my analysis and decision to do right by the Sailor, CAPT (b)(6), (b)(7)(c) took my actions personally, complaining to me over telephone, in front of my staff and his staff, about my determination to overturn his decision.

7. Enclosures (12) and (13) relate to CAPT (b)(6), (b)(7)(c) decisions regarding a (b)(6), (b)(7)(c) and was serving in a leadership position at (b)(6), (b)(7)(c) an activity under (b)(6), (b)(7)(c) which is subordinate to (b)(6), (b)(7)(c) CAPT (b)(6), (b)(7)(c) seemed unaware regarding the details of the case, which demonstrated a lack of needed communication between him and his subordinate activity, (b)(6), (b)(7)(c) Furthermore, his plan, which was overturned by my

staff, to initiate Detachment for Cause proceedings against the (b)(6), (b)(7)(c)  
(b)(6), (b)(7)(c)  
(b)(6), (b)(7)(c)

8. Related to CAPT (b)(6), (b)(7)(c) decision-making with regard to (b)(6), (b)(7)(c) was his handling of the case of a (b)(6), (b)(7)(c) attached to (b)(6), (b)(7)(c) who (b)(6), (b)(7)(c) was processing for administrative separation for allegedly (b)(6), (b)(7)(c). The (b)(6), (b)(7)(c) submitted an Article 138 complaint against CAPT (b)(6), (b)(7)(c) with various grievances. During a phone call, CAPT (b)(6), (b)(7)(c) proposed removing the (b)(6), (b)(7)(c) designation from the complaining (b)(6), (b)(7)(c) despite not pulling the (b)(6), (b)(7)(c) certificates from the other (b)(6), (b)(7)(c) Sailors who engaged in similar behavior. When I questioned him on the fairness of doing so, CAPT (b)(6), (b)(7)(c) responded that he had not thought of it in that light before demonstrating a lack of analysis and forethought.

9. CAPT (b)(6), (b)(7)(c) routed up his endorsement of a Command Master Chief package to the (b)(6), (b)(7)(c) Command Master Chief. In January 2019, during a follow-up conversation with my previous Deputy, CAPT (b)(6), (b)(7)(c) CAPT (b)(6), (b)(7)(c) stated that he no longer thought the Sailor was ready to be a Command Master Chief and no longer favorably endorsed the Sailor. When CAPT (b)(6), (b)(7)(c) asked CAPT (b)(6), (b)(7)(c) if he wanted to rescind his endorsement, CAPT (b)(6), (b)(7)(c) said "no," explaining that the Sailor was a good candidate when he initially endorsed the package. CAPT (b)(6), (b)(7)(c) only after further inquiry, chose to rescind his official endorsement. That action demonstrated a lack of judgment and a lack of consideration of potential impacts to the Navy at large. See enclosure (1), the timeline created by my Command Master Chief, for more details.

10. On 19 March 2019 (b)(6), (b)(7)(c)  
(b)(6), (b)(7)(c)  
(b)(6), (b)(7)(c) [enclosure (14)]. The (b)(6), (b)(7)(c) was stationed at (b)(6), (b)(7)(c) where he was assigned to teach (b)(6), (b)(7)(c) a course which has a chronic shortage of instructors resulting in limited seats available for Navy students. (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) was teaching a (b)(6), (b)(7)(c) version of (b)(6), (b)(7)(c) CAPT (b)(6), (b)(7)(c) did not sufficiently analyze the potential impact of sending one of (b)(6), (b)(7)(c) few assets overseas to participate in an exercise during a time of funding cuts to (b)(6), (b)(7)(c) core training mission.

11. On 1 May 2019, CAPT (b)(6), (b)(7)(c) positively endorsed a short-fuse and delinquent request for physicians in his command to present a case study about a (b)(6), (b)(7)(c) servicemember that was referred to one of his subordinate activities for a (b)(6), (b)(7)(c) [enclosure (15)]. The proposed presentation was not only out of date, but it was also likely to reveal highly sensitive Protected Health Information about the subject of the presentation. When my command's concerns were relayed to CAPT (b)(6), (b)(7)(c) he immediately withdrew his request in enclosure (16). This demonstrated a lack of ability to see the potential harm that such a presentation could have caused to the Navy Medicine enterprise.

12. On several occasions, CAPT (b)(6), (b)(7)(c) routed important packages up to (b)(6), (b)(7)(c) without providing context for them or providing a structure. For an example, see enclosure (17), an email from CAPT (b)(6), (b)(7)(c) to my Deputy with 16 attachments with no apparent order or structure. These

incidents reflect CAPT (b)(6), (b)(7)(c) struggle to synthesize information, analyze it, and communicate it effectively.

13. For the reasons outlined above and in the enclosures, I have lost confidence in CAPT (b)(6), (b)(7)(c) judgment and ability to command (b)(6), (b)(7)(c). He has been given direction and opportunities to correct course, however, he has not adequately responded to these opportunities or direction. I do not believe that any further efforts to counsel CAPT (b)(6), (b)(7)(c) would be beneficial, and I believe installation of new leadership is the best remedy.

14. I do not recommend that CAPT (b)(6), (b)(7)(c) be made to show cause for retention in the Naval service. I recommend that CAPT (b)(6), (b)(7)(c) be retained and reassigned, but not in a position of leadership. I believe that, while CAPT (b)(6), (b)(7)(c) is not suited for command, he can continue to contribute to the Navy as a practicing physician.

15. I have given a copy of this request to CAPT (b)(6), (b)(7)(c) this date and, by enclosure (18), have informed him that the request may be filed in his official record. He was also informed by enclosure (18) that he has a right to submit a written statement and has 15 days, until 28 August 2019, to do so.

16. My point of contact is my Staff Judge Advocate who can be reached at (b)(6), (b)(7)(c)

Copy to:  
(b)(6), (b)(7)(c)



13 Aug 19

MEMORANDUM FOR THE RECORD

From: CAPT (b)(6), (b)(7)(c) MC, USN  
To: (b)(6), (b)(7)(c)

Ref: (a) MILPERSMAN 1070-020

Subj: DETACHMENT FOR CAUSE ACKNOWLEDGMENT

- ✓ 1. I have received the letter requesting my detachment for cause, and I understand the request may be filed in my official record.
- ✓ 2. I am aware of the contents of reference (a). I (do) [do/do not] desire to make a written statement.
- ✓ 3. I further understand that I have 15 calendar days from this date, until 28 August 2019, to submit my statement. If I make such election and then fail to submit a statement in that period of time, it will be treated as a waiver of that right.
- ✓ 4. I understand that any statement I make must be couched in temperate language, be confined to the pertinent facts, and not impugn the motives of others or make countercharges.

(b)(6), (b)(7)(c)

Enclosure (18)